

**Channel Islands National Marine Sanctuary  
Sanctuary Advisory Council**

**Final Meeting Notes  
May 18, 2007**

**Casa Las Palmas  
323 E. Cabrillo Blvd  
Santa Barbara, CA**

*Note: Audio tape recordings of this Sanctuary Advisory Council (SAC) meeting are available upon request; contact the SAC Coordinator at 805-884-1464.*

**Attending:**

<u><b>Government Representatives:</b></u>	<u><b>Community Representatives:</b></u>
<u>National Park Service</u> Alternate Gary Davis	<u>Non-Consumptive Recreation</u> Member Scott Dunn Alternate Carolyn Greene
<u>US Coast Guard</u> Alternate John Luzader	<u>Conservation</u> Member Linda Krop Alternate Greg Helms
<u>Minerals Management Service</u> Member Dr. Fred Piltz	<u>Commercial Fishing</u> Member Jim Marshall Alternate Bruce Steele
<u>CA Department of Fish and Game</u> Member John Ugoretz	<u>Recreational Fishing</u> Member David Bacon Alternate Merit McCrea
<u>CA Coastal Commission</u> Member Steve Hudson Alternate Barbara Carey	<u>Research</u> Member Bob Warner Alternate Bernardo Broitman
<u>Santa Barbara County</u> Member Dianne Black Alternate Michelle Gibbs	<u>Public-At-Large</u> Member Phyllis Grifman Alternate John Rennell Alternate Matt Lum
<u>Department of Defense</u> Member Steven Schwartz Alternate Walt Schobel	

**Absent:**

<b><u>Government Representatives:</u></b>	<b><u>Community Representatives:</u></b>
<u>US Coast Guard</u> Member Ronald Fien	<u>Public-At-Large</u> Member Eric Kett
<u>Minerals Management Service</u> Alternate Dr. Ann Bull	<u>Tourism</u> Member Lauri Baker Alternate Andrea Moe
<u>CA Resources Agency</u> Member Brian Baird Alternate Amy Boone	<u>Business</u> Member Bill Spicer Alternate Manny Aschemeyer
<u>Ventura County</u> Member Lyn Krieger Alternate Marilyn Miller	<u>Education</u> Member Barbara LaCorte Alternate Dan Powell
<u>NOAA Fisheries</u> Member Mark Helvey Alternate Lyle Enriquez	<u>Chumash Community</u> Member Paulette Cabugos Alternate Reggie Pagaling
<u>National Park Service</u> Member Russell Galipeau	
<u>CA Department of Fish and Game</u> Alternate Kristine Barsky	

13 of the Council's 21 voting seats were present throughout the meeting. The total number of Council representatives (members and alternates) ranged from 20 at roll call, 25 at the peak, and 23 after the lunch break. Public attendance varied from 1 to 12 people.

**Administrative Business and Announcements**

***New Member Introductions***

Barbara Carey introduced herself as the new alternate for the California Coastal Commission. She is at the Coastal Commission's Ventura office and has worked for the Coastal Commission for 15 years.

Bernardo Broitman introduced himself as the alternate for the Research seat. Bernardo is a researcher working with the Marine Science Institute and the National Center for Ecological Analysis and Synthesis (NCEAS) and he has been working in the Channel Islands for 6 years.

***Meeting Notes***

The March 16<sup>th</sup>, 2007 draft meeting notes were unanimously adopted as final.

***Superintendent's Report:***

Chris Mobley highlighted several items in the Superintendent's Report (provided to all SAC members and the attending public and available at <http://www.channelislands.noaa.gov/sac/super.html>).

Chris Mobley also announced that:

Congress recently passed a federal budget and CINMS finally received sanctuary budget numbers, which are not great. At this point we expect the same numbers for next fiscal year. Chris encouraged anyone interested in the federal budget process to follow it closely as we get into the budget season for the next fiscal year. Because of the tight budget, we are looking at not being able to operate our research vessel for half of the season. We are planning for that contingency, but hopeful that we will receive a better budget.

CINMS recently held interviews for the Research Coordinator position. Bob Warner served on the interview panel.

The NMSP is giving our volunteers reusable grocery bags as a token of thanks. The bags also provide an opportunity for our volunteers to tell people about national marine sanctuaries.

Kimberly Ford developed a jazz CD called Songs in the Key of Sea. 10% of the sales will be donated to the National Marine Sanctuary Foundation. The sanctuary inspired her to write several of the songs and produce the CD.

Mike Murray then provided a brief update on the management plan effort:

The sanctuary is very close to submitting to NMSP headquarters a Supplemental Draft Environmental Impact Statement and Supplemental Notice of Proposed Rulemaking for review, clearance, release, and public comment. The documents focus on addressing large vessel discharges of graywater and blackwater. The NMSP west coast regional office is now reviewing the documents closely.

The supplemental documents may be ready in time to be brought to the Advisory Council for comment in July. Comments on this issue will be addressed in the Final Management Plan and Final EIS. We hope to put the final documents together by September 2007.

### ***Council Member Announcements***

Fred Piltz explained that at the last California and the World's Oceans conference in September 2006 the three governors of California, Oregon, and Washington announced an agreement to work together on ocean protection and ocean health. More recently, the governors have asked a consortium of federal agencies, SIMOR (Subcommittee on Integrated Management of Ocean Resources) to help with this effort. The federal agencies that compose SIMOR committed to trying to help the three governors achieve the goals of the strategy. Department of the Interior (DOI), MMS, NOAA, and EPA are co-leads in the effort and Fred is the lead for DOI. The draft strategy is on the California Resources Agency web site and is open to public comment. The Coastal Zone 2007 meeting in Portland, OR will feature a session and comment period on the strategy. The target is to complete the strategy by Fall 2007. The strategy is broad, and details will be developed as the plan is finalized. In addition Fred later added that there are a few sea otters off of Goleta. In one place there were about 20 young males observed.

Scott Dunn announced that he is leading his first kayak trip of the season to Anacapa Island this weekend. Later, Scott added that in January the Advisory Council received a really good written summary of the SAC meeting, but that the CINMS Advisory Council web site only has complete notes posted up to January 2007. Mike Murray explained that shortly after a SAC meeting the CINMS web site will post meeting "highlights" until the Advisory Council later reviews draft notes and adopts them as final. Then, Mike explained, the final notes take the place of the web-posted meeting highlights. Scott suggested that it would be nice to have the full meeting packet available on the web site.

Gary Davis explained that he has been attending meetings on developing a monitoring network for MPAs from British Columbia to Baja. The effort is being led by the Committee for Environmental Cooperation (CEC), which was developed through NAFTA to address environmental concerns of Canada, the US, and Mexico. The CEC is developing a monitoring database that can be used by the three countries to store data on monitoring of MPAs. In addition, the CEC has adopted the National Marine Sanctuaries' Sanctuary Wide Integrated Monitoring (SWIM) scorecard approach, as presented to them by Steve Gittings in La Paz last month.

Bob Warner noted that the data from Partnership for Interdisciplinary Studies of Coastal Oceans (PISCO) subtidal surveys from the Channel Islands to Monterey and Santa Cruz are now accessible to the public. The online datasets include information from 1999 to the present and are available at [www.piscoweb.org](http://www.piscoweb.org). The next step will be to summarize the data in terms of marine reserves. PISCO has a goal of getting the data on the internet as quickly as possible so that members of the public can see the most up-to-date information.

Steve Hudson explained that the California Coastal Commission recently denied BHP Billiton's proposed Cabrillo Port project. The next step would be to resubmit their application or go to court. A third option is to appeal to the Secretary of Commerce.

David Bacon announced that he gave a presentation on research in the sanctuary last night at the Channel Islands Yacht Club, with attendance by many members from All Coasters (an online fishing discussion group). Several research projects that were discussed received some good press, including PISCO. In addition, Captain Bacon mentioned that the calico tagging project was discussed at length because members of the audience fish within the Sanctuary often. There was a good turnout and it became a de facto Recreation Fishing Working Group meeting, as issues relevant to these constituents were discussed.

Phyllis Grifman commented that there is nothing like an emergency to help develop emergency plans; after the fire on Catalina Island took out power and communications lines, supplies needed to be brought to the Wrigley Marine Science Center. In relation to the three governors' (CA, OR, WA) agreement on ocean health mentioned by Fred earlier, Phyllis announced there will be workshops in California in the fall to develop research priorities to match policy initiatives in the governors' draft strategy. If anyone is interested in helping her with the stakeholder process let her know. USC Sea Grant developed a Public Service Announcement on *Caluherpa taxifolia*, an invasive algae. They are training CDFG and other customs officials to recognize those *Caluherpa* species, which are illegal in California.

Jim Marshall announced that fifteen commercial sea urchin divers recently took a training course with Reef Check California. The divers learned scaled back versions of the CRANE and PISCO data collection protocols. They completed in-water training at Naples Reef. The sea urchin fishers have extensive diving experience and local knowledge but do not necessarily know the names of fish and invertebrates and found that part of the training educational. The first project the fishers will engage in will be to coordinate with CRANE and PISCO and sample sites in the western Channel Islands where monitoring is lacking but the fishers visit frequently.

John Ugoretz announced that CDFG has signed an MOU with Reef Check. Reef Check will provide data directly to CDFG and ensure the data is scientifically rigorous so that CDFG can use that data in their analyses. The Reef Check project was conceptually designed around sportdivers but has been found adaptable to commercial divers as well. John also announced that on April 15th the CDFG adopted 29 MPAs covering 204 square miles between Pt. Conception and Pigeon Point. There are maps, coordinates, and new information about the decision on the CDFG web site. The regulations will go into effect later this summer (after review and clearance by the Department, California Fish and Game Commission, the Office of Administrative Law, and the Secretary of State). The regulations will likely go into effect about

60 days after OAL gets them. Party boat skippers were quoted in news reports as stating they could work with the adopted areas. Michael Sutton from The Center for the Future of Oceans at Monterey Bay Aquarium will fill the Fish and Game Commissioner's seat recently opened by Bob Hattoy's passing. Sutton was also a special agent for the USFWS in his past.

Carolyn Greene noted that the recent foggy weather means calm seas. The whale season is still going on and there are still boats going out. Blue whales are now coming in, along with humpbacks, and there are still some gray whales migrating north. In March and April there were about 400 whale watch trips, and conservatively about 35 people per trip. The park and sanctuary volunteers reached close to 15,000 people on those trips.

John Rennell asked Chris Mobley about the spread of invasive Japanese kelp. Chris Mobley explained that Japanese kelp likes calm waters such as harbors, and as such if it did make its way into the Sanctuary it would be most likely to establish itself in calmer waters out at the islands. It remains to be seen, Chris said, how successful kelp removal efforts will be. Chris added that divers have been asked to collect and report on any species they have not seen before. John Rennell also asked Chris about the extent of the CINMS budget cut, and if it allows for maintaining the sanctuary's research vessel and crew. Chris responded that for CINMS there were good budget years in 2004 and 2005, with \$2.5 million in operating funds. Chris explained that the CINMS budget is now down to \$1.9 million, and when all of the bills are subtracted there is almost no discretionary funding left for things like printed brochures. Chris added that he hopes this Congress is interested in dealing with ocean management. Regarding vessel operations Chris noted that NOAA has stringent requirements and is very risk-averse. CINMS vessel captains must have right Coast Guard licenses, Chris said, and strong experience operating research vessels and deploying research equipment. Because of this, Chris explained, he does not have the cost-saving option of using volunteer captains unless they can pass a very high test. Use volunteers as auxiliary crew is sometimes done, he added, but with a strong focus on experience and safety.

Linda Krop announced that the comment period on MMS' proposed alternative uses on the OCS ends Monday and there is information on the MMS web site. The Governor is expected to act this afternoon regarding BHP Billiton's proposed Cabrillo Port LNG project. The project is governed under the federal Deepwater Port Act, which says that the project cannot go forward unless the governor of the adjoining state approves the project. Issuance of the license is on hold because of the Coastal Commission's objection to the project. The State Lands Commission denied the lease for the pipeline to bring the gas to shore. If the governor approves the project the Secretary of Commerce could override the Coastal Commission objection.

### **Channel Islands Marine Reserves and Conservation Areas: Biological Monitoring Activities Planned for 2007**

John Ugoretz, Marine Habitat Conservation Program Manager with the Marine Region of the California Department of Fish and Game (the Department), provided some background information on how the Department looks to the SAC as an appropriate body to provide feedback on Channel Islands MPA monitoring plans and monitoring results. He explained that the Department plans to check-in with SAC three times each year, once in May regarding planned field season activities, one mid-season report, and once in the fall to preview results prior to reporting to the Fish and Game Commission.

John explained that the monitoring programs that had been active last year are again set to run this year, including (but not limited to) lobster trapping, aerial surveys, and Department review of landings data.

John mentioned that new developments include Ocean Protection Council two-year funding of National Park Service/Department reserves studies, and the start of a new fish and invertebrate trapping study to be funded by July and run through UCSB (proposals are being reviewed now).

John also mentioned that in December of 2008 there will be an important 5-year Channel Islands MPA review presentation provided to the Fish and Game Commission, and that scientists involved in monitoring are getting organized for that by planning for a symposium to be held in February of 2008. John explained that a Working Group is forming at the National Center for Ecological Analysis and Synthesis (NCEAS) to bring scientists together, and that the monitoring symposium is planned as an add-on day (Feb. 8, 2008) to the California Islands Symposium (Feb. 5-7, 2008).

During the discussion period, Chris Mobley clarified that the Sanctuary's aerial monitoring program (SAMSAP) had not been able to fly this fiscal year due to a combination of budget cuts, maintenance issues, and pilot turnover, but that by chartering and possibly using a Department aircraft he expected to have a minimal amount of aerial surveys conducted.

Sean Hastings reported good news with regard to socio-economic monitoring by mentioning that another year of funding had been secured for this work, and that a contracting announcement process is underway. Sean also announced that NOAA's Bob Leeworthy, who did most of the economic work for the Channel Islands marine reserves process, is becoming the National Marine Sanctuary Program's Chief Economist and, as such, would be involved in assisting with ongoing socio-economic monitoring of Channel Islands reserves and conservation areas.

In response to a question from Bob Warner, Chris Mobley explained that a plan for deepwater monitoring of the pending federal marine reserve areas will be based on plans developed from past workshops on that very topic, and that it will be an important priority for the Sanctuary.

In response to a question from Fred Piltz, Sean Hastings explained that all CINMS products with maps will need to be updated to reflect the new marine reserves and conservations areas, once their designation is finalized. However, Sean explained, the timing for officially revising many Sanctuary map products may be delayed until this fall/winter in order to wait until the anticipated action by the California Fish and Game Commission (closing the state-waters "gap" areas between exiting state MPAs and federal/CINMS marine zones) takes legal effect. Sean noted that, along these lines, new marine reserve signs intended for placement at launch ramps are designed but on hold for installation pending completion of the final legal actions needed to complete the MPA network.

Fred Piltz commented on the importance of the California Islands Symposium and encouraged all agencies to chip in whatever they could to help cover expenses, and to help lower registration costs for participants.

Bruce Steele suggested that it would be good if the new MPA-related fish and invertebrate trapping surveys that John Ugoretz mentioned could be designed to include species not targeted for consumptive purposes (which John explained the surveys are not currently envisioned to do), and reminded the Council that this was a specific gap noted in monitoring workshops held at UCSB (in 2003).

In response to Captain David Bacon asking him how funding can be maintained for the calico bass tagging projects that are currently taking place, John Ugoretz suggested that applying for grant funding, perhaps from the Ocean Protection Council, might be the best way to go. John also mentioned that he feels that particular tagging project is very valuable and he would offer a Department letter of support for granting funding requests.

Phyllis Grifman commented that it would be interesting to see a study conducted that looked at the use of non-scientists for collecting data. John Ugoretz responded that there has been some work done on that, and he noted that there seems to be a strong push now to support cooperative research studies.

Chris Mobley commented that when the Sanctuary's new Research Coordinator is soon hired, an important part of their job will be to help assure funding streams for MPA monitoring projects, good coordination among partners, and prioritization of monitoring projects.

## **Federal Action to Extend Marine Reserves and Conservation Areas**

Sean Hastings, CINMS Resource Protection Coordinator, provided a summary of the environmental review and rulemaking processes for extending state marine reserves and conservation areas into additional state and federal waters of the Sanctuary.

Sean explained that the Final Environmental Impact Statement (FEIS) had been released last month and was mailed to all SAC members (available on line at <http://channelislands.noaa.gov/marineres/main.html>), and summarized the major differences between it and the DEIS. Sean noted that over 30,000 comments were received on the DEIS, and the FEIS provides grouped responses to those comments. Sean also explained that NOAA's DEIS preferred alternative (1A, overlaying state MPAs) has been changed based on the State of California's preference to not have Sanctuary regulations for marine reserves within state waters. Sean explained that the gap areas between federal waters and the outer edge of the existing state MPAs are proposed to be closed by the California Fish and Game Commission.

Comments can be submitted on the FEIS, Sean explained, but would not be responded to (as with comments received on the DEIS).

Sean explained that the Final Rule will be issued next, possibly next week (week of May 20-26), and that it will be followed by a period of 45 days of Congressional session before the regulations take effect, ending sometime in late July. Comments may be submitted on the Final Rule, Sean explained.

Sean summarized that the majority of comments received on the DEIS seemed to fall into these basic categories: 1) NOAA should do more (designate more marine reserve area); 2) NOAA should enact the preferred alternative; 3) NOAA should take the "no action" alternative; 4) NOAA should defer to the Pacific Fishery Management Council and National Marine Fisheries Service to handle the issue under the authority of the Magnusen-Stevens Act. Sean also mentioned that a lot of important comments were received on the socioeconomic analysis within the DEIS, and that the FEIS reflected revisions based on those comments.

Sean also reminded the Council that the bottom areas of the proposed federal marine reserves and conservation areas had already been closed to bottom-gear by the National Marine Fisheries Service, so the Sanctuary's proposed action is seeking to provide the additional protection needed to complete full protection in the marine zones.

Sean explained that when the Final Rule is released, the record will be kept open for comment with regard to the state waters gap areas. The reason for this, Sean explained, is so that NOAA can keep the record open until such time that the Fish and Game Commission follows through with incorporating the gap areas into the existing state MPAs. Should that not happen, he said, NOAA could propose to close the gap areas with Sanctuary regulations. Comments on the open record may be submitted, Sean explained, within 60 days from when the Final Rule is released.

### ***Council Discussions on Federal Marine Zones, and Artificial Reefs***

Council members commented briefly on the federal process to establish marine zones, with discussions then migrating into perspectives on artificial reefs as well as issues of resource ownership and mitigation.

Captain David Bacon reported that at a recent meeting (5/17/07) with many recreational fishermen and members of the Channel Islands Yacht Club, he had given a presentation about recent research efforts that have been undertaken at the Channel Islands, many with the support of CINMS. He stated that the presentation became a sort of de facto Recreational Fishing Group meeting, in that many of the most active local anglers were there. He reported that the feeling with regard to the Federal waters marine protected areas FEIS was animated and many expressed that issues recreational anglers had raised were summarily dismissed and ignored within the FEIS. He also added that another main message coming from his meeting was growing support for the idea of “a reef for a reef,” suggesting that artificial reefs should be created as mitigation for fishing areas lost to MPAs.

Scott Dunn asked Capt. David Bacon what specifically were the concerns about the Channel Islands MPAs held by recreational fishermen. For specifics on this problem, Capt. Bacon said one should refer to the FEIS appendix showing responses to comments.

Merit McCrea said that he believe recreational fishermen see this issue (marine reserves) as being about allocation, and they feel as if something is being lost. Fishers, Merit said, and recreational fishers in particular, tend to see permanent exclusion from areas as an allocation issue, and not a conservation issue. Recreational fishers, he explained, feel that they are losing something (allocation, by way of marine reserves) and that they want mitigation for that loss. Hence, he added, the “Reef for a Reef” concept could likely gain general public support.

Bruce Steele said that he likes seeing that the proposed action provides for the state of California to maintain jurisdiction of the marine reserves within state waters, noting his concern about the long term ramifications of federal authority usurping state authority, perhaps even at the Monterey Bay NMS. Bruce said he plans to support this in front of the Fish and Game Commission.

John Renell, addressing an issue raised earlier by Capt. David Bacon, suggested to the Council that an important question to be considered is whether or not it is acceptable to introduce artificial reefs into the marine environment.

Bob Warner mentioned that he knows of 7 of 8 studies related to MPA performance where it was shown that the environmental quality of marine reserves improved both within and outside of the protected areas, but more so within the protected areas.

Addressing an issue raised earlier by Captain David Bacon, Bob Warner also commented that while no one owns the ocean, if one is to think of it that way then he, as a scientist, has had something taken away from him because he has never been able to study a natural environment not altered by human extractive activities, particularly fishing (without traveling to far away places). As such, Bob commented, he is uncomfortable with the idea that when an MPA is designated consumptive users of the ocean must be compensated for their loss, but feels it is appropriate for the Council to talk about it.

John Renell, recounting his commercial fishing experiences in Alaska, commented that it does not seem right that we should have the right to massively attack species commercially.

Captain David Bacon, responding to Bob Warner, acknowledged that while recreational anglers don’t actually own anything in the ocean, they do in a sense own their right to fish in public waters. He added



that because there is a finite amount of natural reef structure, when some of it is closed a loss is felt and the need exists to have more places for fish to live. In the Gulf of Mexico, he said, the Texas Great Barrier Reef is being pursued.

Chris Mobley added that in some countries artificial reefs are being used for controlling coastal erosion as an alternative to shoreline rip rap. If something like this were ever proposed within CINMS, he said, then it would likely be in state waters and, as such, there would be a long list of state agencies involved in review and permitting.

Jim Marshall said that after 25 years of commercial fishing, he understands that we don't have a right to fish, but receive the privilege to do so. He added that we have, and must, be aware of our cumulative impacts, and that it is about time that the rest of the consumptive users get on the bandwagon with commercial fishermen. Artificial reefs don't make sense to him, he said, and added that we need to be smarter about the issue than that.

Greg Helms remembered that during the SAC/marine reserves working group process [1999-2001] it was profound when Harry Liquornik said that it was a privilege to fish, and when Bruce Steele spoke about how important it is to respect the wildness of the ocean.

Greg Helms commented that he also (with John Renell) shares a concern about privatization of the ocean, and artificial reefs touch on this. Greg added that because the ocean is a wild place he finds our attempts to run it (with fences, etc.) to be objectionable, and feels that the wild ocean system is both most productive and provides the best basis for sharing resources. He added further that artificial reefs would make resource sharing issues even harder to resolve.

Greg Helms also commented that he regrets that during the marine reserves process the non-fishery-related goals and rationale for marine reserves took a back seat to fishery issues, and added that having Sanctuary marine reserves in state waters would have been a better way to go.

In response to a question from Michelle Bates, John Ugoretz suggested that the Sanctuary Foundation's Collaborative Marine Research Program is uniquely targeted to providing grant funds for research with fishermen and scientists. Phyllis Grifman added that this is an important area that should be expanded, and Chris Mobley added that CINMS has put all the funds that it has been able to into that program.

Phyllis Grifman said that as a public at large SAC member she is interested in what non-consumptive users expect when they go to a place like CINMS. Related to Bob Warner's comments, she also mentioned that at Catalina Island where there is a small marine protected area the demand for research at that site exceeds the ability to host it.

Chris Mobley, responding to a request from David Bacon, indicated that CINMS could provide more information to the SAC about federal/NOAA policies on artificial reefs.

Bruce Steele indicated that the biggest roadblock to conducting more collaborative research between fishermen and scientists relates to insurance policies and the inability to have insurance coverage provided to scientists on non-university vessels. John Renell suggested that if a major insurance company took this on they might be able to offer the needed exemptions.

John Renell, telling a story about fishermen visiting Mexico, suggested that perhaps catch-and-release fishing should be a stronger focus. Bob Warner noted, however, that some studies (e.g., bonefish in Palmyra) have shown that caught-and-released fish do not survive as well in areas where there are still natural predators within the system.

Fred Piltz cautioned that if the Council should start talking about mitigation, the discussion could go down a “property rights” path that could be problematic, potentially leading to counterproductive legal battles. Fred suggested that talking about the ecological effects might be a better way to go, offering a better chance of attaining mutually beneficial and cooperative results. On a separate point responding to comments made by Bob Warner, Fred also commented that, as he heard at a Jared Diamond talk, it might be about 15,000 years too late to be able to study a “pristine” marine environment.

Chris Mobley expressed appreciation for the robust and respectful comments shared by Council members.

### **State Action to Close Channel Islands MPA Gaps Areas**

John Ugoretz (Marine Habitat Conservation Program Manager for the Marine Region of the California Department of Fish and Game) explained that California Secretary of Resources is very supportive of the state closing the marine reserve gap areas, and reminded Council members that the reason there is a gap is because of the state MPA’s intentionally squared-off boundaries (for ease of understandability and enforcement purposes), which now can be extended to the state/federal 3nm boundary line given that NOAA is ready to designate the federal portion of the network.

John announced that on May 4th the Fish and Game Commission took initial action toward closing the gap areas by placing it on their agenda for future consideration/action and public comment, to take place on June 7<sup>th</sup> or 8<sup>th</sup> in Truckee (discussion hearing) and in August in Santa Barbara (adoption hearing). John explained that after a Fish and Game Commission decision there would be a period of time necessary to get the legal package to the Office of Administrative Law, which from that point forward would take about 60 days until the new regulations took effect. At this time it is not possible, John explained, to provide an exact date as to when the regulations would take effect.

John also reported that in response to the SAC’s recent letter to the Sanctuary (on marine reserve shoreline boundaries) and standards used by NOAA Charting, the CDFG is going to add shoreline coordinates at the mean high water line and increase clarity/precision by adding additional decimal points to the coordinates used. John also explained that the original reason for rounding coordinates to a whole minute was to improve ease of use and assist in enforcement, and also that the more precise data now available on the exact location of the mean high water line was not available when the state marine reserves were designated.

### ***Council Discussion on MPA Outreach***

Following the report from John Ugoretz, Dianne Black directed Council discussion toward the question of what Council members could do, or feel is important, with respect to outreach about the soon-to-be-completed marine reserves network.

Scott Dunn suggested timely information posted to the web, and Captain David Bacon suggested that he could continue to write articles. Phyllis Grifman suggested broad announcements, using press releases, are important for the public to learn about what is happening and if they can comment. Chris Mobley said that he will continue to tell reporters that SAC members should be contact for interviews because they are the most informed.

Carolyn Green added that simple fact sheets posted on the web are helpful to clear up common confusions, and suggested that messages also mention the upcoming 5-year review and symposium on the state marine reserves.

Greg Helms said that the nature of the reserves process has made it hard to pin down a definitive end-point at which outreach could be directed, but nevertheless suggested that a party should be held in August following the anticipated Fish and Game Commission to close the gap areas within the marine reserves network.

Bruce Steele noted that the upcoming Fish and Game Commission decision would be the final step to complete the marine reserves process, thus book-ending a very long process that started way back when the marine reserves working group was formed [1999]. Bruce added that he would be willing to go before the Fish and Game Commission in August to talk about how he appreciates that, unlike some things he's heard about the MLPA process, the community was listened to and had a meaningful role. He said that he hopes others that were involved will join him.

Dianne Black responded to Bruce that he had an excellent idea, and that for her part she will gladly go to the Fish and Game Commission meeting on behalf of the SAC to make comments.

### **Public Comment**

Lt. Trent Warner, from Pacific JAG office of US Coast Guard, introduced himself to the Council. Lt. Warner explained that he works on regulatory law issues, for example the two whales currently moving up the Sacramento River. He added that he is here to educate himself, and that he thought it would be nice to have Coast Guard legal staff come to the SAC meeting to see how they might be able to help as an enforcement body.

Paul Petrich – has been at islands as recreational fishermen and as CINC volunteer. At this past week's Santa Barbara City College there was a powerful powerpoint presentation by students requesting an ordinance to ban plastic and Styrofoam. The Council decided to go to the waste committee to decide whether to have two ordinances as one. This organization, the sanctuary, should recognize these students for doing such an outstanding job perhaps to the City College paper. They emphasized marine life a lot in their presentation, which was well-done research wise. What they did should be recognized. The paper left out one of the students, there were actually three. Dianne suggested having the students come and give the same presentation to the Advisory Council.

Jessie Altstatt recalled a presentation she gave earlier on eelgrass habitats, and she shared a brochure on this habitat. The brochure provides a map of beds at the islands and explains information about what boaters can do to minimize impacts to them. They are currently working on getting GPS coordinates to more accurately display the locations of the beds. The brochures are being distributed at marinas and boating stores. The photos were all taken at Frenchy's Cove, Anacapa Island or Prisoners and Scorpion at Santa Cruz Island. Channelkeeper scouts a quarter mile swath for marine debris and trash between the mainland and islands. The most common type of debris they find are helium balloons, and these are given out at every major celebration. Bob Warner asked if mooring buoys would help protect the eelgrass. Jessie indicated that yes this would probably help.

### **Open Ocean Aquaculture**

Shiva provided an update on the status of the aquaculture report. The draft report and highlights of changes made to this draft are available at [http://www.channelislands.noaa.gov/sac/report\\_doc.html](http://www.channelislands.noaa.gov/sac/report_doc.html). Dianne reminded the Council that this topic will be discussed in more detail at the next Advisory Council meeting.

Shiva noted that the purpose of the presentation is to walk through the final draft of the aquaculture report. A draft version was reported on at the January Advisory Council meeting. Since then Advisory Council members have provided comments and that feedback was very helpful in developing this final version. Shiva extended thanks to the individuals who commented. Shiva recommended using the digital version that will be on the web on Monday, and will have links and color graphics.

Shiva noted that most of the changes made address three themes: 1) reducing the tone of bias and using a more dispassionate tone; 2) to be less hostile towards any uses and make clear that there is no intention to attack fishing; 3) clarify whether this document is advancing a Not In My Back Yard (NIMBY) agenda.

Shiva then highlighted the changes and answered questions and responded to comments on the following topics:

- The differences between this report and the recently published Woods Hole Oceanographic Institute's report on aquaculture.
- The role this report will play in informing the state's programmatic EIR on aquaculture.
- The timeframe that aquaculture projects may develop in the region.
- The potential use of decommissioned oil platforms for aquaculture, and other potential projects.
- NOAA's interest and role in reviewing the report
- Linda Krop and Shiva thanked the council members for their input and discussed the next steps for the report which will include a panel of experts at the July 20, 2007 SAC meeting. Linda will ask for the Advisory Council's support of the report.
- Council members were asked to provide comments on the report before July. However, as there have been several opportunities for review, Shiva and Linda are not looking for major changes to the document at this point.

## **Vessel Traffic**

Todd Jacobs introduced Dick McKenna, the Deputy Executive Director of the Maritime Exchange of Southern California. Dick spoke about AIS, efforts to establish equipment at the islands, and vessel traffic and operations. *DVD is available upon request to Mike Murray.*

Dick played a DVD that explained the role of the Marine Exchange. The DVD presented the following information:

- the Marine Exchange is a non-profit organization and is a partnership between the state of California, the US Coast Guard, the ports of Long Beach and Los Angeles, and the marine industry.
- The Marine Exchange has been in existence for 84 years and is a clearinghouse for maritime information at the ports. The Marine Exchange has advanced technology for tracking vessels. The tracking technology Nor Control digitizes radar and allows visualization of vessel position, which allows scheduling and management of vessel traffic. There are real time vessel traffic reports available at [www.mxsocal.org](http://www.mxsocal.org).

Following the DVD, Dick made the following points:

- There were approximately 6100 arrivals in 2006. About 3500 of those came through the Santa Barbara Channel, and about 60% of those were container ships. The largest growth in shipping volume in the past year was tanker traffic. Tanker traffic is expected to increase. There is now equipment in place to monitor traffic: there is an Automated Identification System receiver in the harbor that can read generally to 40 miles, on good days to 100 miles; there is a recently installed AIS at Port Hueneme; and will soon be one on Santa Cruz Island.

- The vessel traffic lanes do go through the sanctuary. The outbound lane crosses through the sanctuary for about 17 miles, the inbound lane crosses through for about 33 miles. Surveillance indicates that ships follow traffic lanes closely.
- Noise from ships is a concern. Most ships are diesel, which are noisy.

In response to questions Dick made the following points:

- There are about 16 arrivals per day on average. 58% of those arrivals go through the Santa Barbara Channel. Dick explained that ships may be taking the great circle route to Asia, or to or from San Francisco. Dick added that cruise ships go up channel in the spring for the cruise season in Alaska, then will reposition down to the Caribbean in the fall for the winter cruise season there.
- Dick stated that there is growth in containers shipping; currently only 50% of traffic is containers. But it is projected that by 2030 cargo traffic will triple. Dick added that ships are getting bigger but they don't expect to see less of them and there are global markets opening up everywhere. Dick mentioned that they recently hosted a Vietnamese delegation.
- Dick discussed their role in pollution regulation and stated that they provide information to the EPA as required and that they record and can replay video of incidents. In addition, they help other agencies, including law enforcement, and helped to track a lobster poacher earlier this year.
- Dick explained that one deterrent to using the outside of the islands as a shipping route is that the military uses that area for a missile range and doesn't want a lot of traffic there. Dick further explained that although there is already some traffic there, it is to a very limited degree.
- Dick explained their role in incidence response and that there was an initiative to survey the possibility of installing radar for the channel but because of the infrequency of groundings, that approach was abandoned. Dick explained that the largest danger lies where ships are coming in close proximity to each other, as in approaches to the ports.
- Dick stated that in the channel ships must slow their speeds to limit emissions. Dick noted that compliance is not 100% and that there is currently legislation being proposed to limit sulfur and particulate emissions. Dick stated that there is a strong and honest effort by the industry to minimize emissions, including technology for recovery of pollution produced by the ships.
- Dick stated that they can record information for 45-60 days and the information is provided to the US Coast Guard. Dick further explained that they do track long term trends in vessel traffic, including arrivals and departures, because of their clearinghouse role.
- Dick stated that the ships travel 20-23 knots on average with a capability of 25 knots.
- Dick stated that the military is not required to carry AIS.
- Dick discussed the safety record of the port: there have been no accidents with large ships, there have been several accidents with a small sailboat, a fishing boat, and a power boat. Dick explained that the safety record of the port is good and that they are proactive in directing ships safely.

## Acoustic Monitoring and Whale Behavior Studies

Dani introduced Megan McKenna, a PhD student at Scripps Institution of Oceanography working with Dr. John Hildebrand. *Presentation is available upon request to Mike Murray.*

Megan provided a powerpoint presentation that made the following points:

- CINMS and SB Channel can serve as a model for acoustic research. There are lots of marine mammals here including Mysticetes and Odontocetes. Megan played recordings of these animals' vocalizations.
- One of the busiest shipping lanes in the US is in the CINMS and ships produce low frequency sounds.
- The sources of ship noise are cavitation (the collapse of bubbles as the propeller moves through the water) and machinery noise. Cavitation reduces efficiency and erodes the propeller. The reduction of

cavitation would help ship efficiency as well as reducing noise. There is technology available to do this and a recent workshop in DC on vessel-quieting technology discussed methods and incentives.

- The ocean is getting noisier: it is 10 times louder since 1960s. Sound has increased by about 3 decibels per decade.
- Megan discussed the differences in noise between nearshore and offshore sites and shallow and deep water sites. Shallow areas propagate noise by sound waves that can bounce off the bottom. Sound waves in deep water don't travel as far because they are not able to bounce off the bottom.
- Questions of interest in the local area include: How do noise levels in the Santa Barbara Channel compare with other areas, How do different areas around the sanctuary differ in noise levels (i.e., front side versus back side of islands), What are the major sources of noise, What is the variability of noise, What are the effects of noise on marine mammals in the region?
- There are two High Frequency Recording Packages (HARPs) in the channel. One is one mile from the north bound lane, and one is one mile from the south bound lane. Equipment sits on the bottom of the ocean at about 500-700m. The equipment on the bottom contains data storage and other capabilities. CINMS' R/V Shearwater has been used to service and deploy equipment.
- Megan has been working with the sanctuary to integrate AIS with acoustic recording. There is now an AIS receiver connected to a computer at the visitor center in the harbor. This data can be accessed remotely, allowing the ability to process shipping data with acoustic data. They have the capability to show the acoustic signature of ship that is going by HARP, and in conjunction with the speed of the ship obtained from the AIS, can relate that to the noise heard.
- Analysis of ships moving through the channel reveals that the ambient noise in the channel is much louder than other areas.
- Future work will model the potential effects of noise. To understand the effects on marine mammals, the researchers will observe changes in the acoustic environment, observe behavioral changes of the animals, and observe habitat avoidance.
- One approach is to install listening devices all around the islands to understand noise levels on a finer scale. For example, the front side of Anacapa Island is much noisier because of the presence of snapping shrimp.
- Finally, the researchers plan to create a database that will integrate information on ships from AIS with acoustic signatures.

A question and answer session with the Advisory Council followed. In response to questions and comments, Megan made the following points:

- Megan stated that they are able to distinguish different types of noise based on their signature. In addition to ships and animals, weather makes a lot of noise, for example.
- Megan said that the ship noise they pick up on the HARPs is all from local traffic.
- Megan stated that they have an idea of the noise and signatures of oil and gas activities but would need equipment closer to the activities to study it.
- Megan said that modern machinery is more powerful, resulting in an increase in intensity of noise in addition to increased decibels.
- Megan stated that there isn't a lot of information on effects of noise on marine mammals and understanding this better is one of their goals. For example, they hope to understand behavioral changes, changes in vocalizations, and habitat use.
- Megan stated that increased fuel efficiency is an incentive for noise-quieting technology but the industry is also interested because they do not want to be blamed for failing to act as they were for introduced species in ballast water and other issues. If they act proactively they hope to avoid mandated measures.

## Working Group Reports

### *Conservation Working Group*

Greg Helms reported that during a meeting on May 10<sup>th</sup>, the working group discussed the EIS final rule on marine reserves and received from staff a report similar to what we heard today. Greg said that comments made were similar to what were made today. In addition, Greg mentioned that they discussed the Open Ocean Aquaculture draft report.

### *Recreational Fishing Working Group*

Captain David Bacon met with some of his constituents at a presentation he made on May 17, 2007 at the Channel Islands Harbor Yacht Club. One person in attendance reported a positive interaction with the recreational fishing survey team. They also discussed the proposal in the CINMS draft management plan to change the designation document and they do not want changes made to the designation document. Captain Bacon also mentioned that another topic discussed at the meeting was the predation on fish by marine mammals, and what can be done about it.

## Future SAC meeting schedule

### *Schedule for future SAC meetings & events:*

- Friday, July 21, 2006: SAC Meeting, Ventura
- Friday, September 22, 2006: SAC Meeting, Santa Barbara
- Friday, November 17, 2006: SAC Meeting, Ventura

*Meeting notes respectfully submitted by Channel Islands National Marine Sanctuary staff:*

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